

Development Code Update Project
Chapter 17.42
Residential Zones

ARTICLE III

ZONING DISTRICTS AND ALLOWABLE LAND USES

CHAPTER 17.42

RESIDENTIAL ZONES

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17.40.010 Purpose and Intent

- A. The purposes of this chapter are to identify on the zoning map those areas designated for a low-density concentration of detached homes on independent lots; further, to ensure a high level of living enjoyment and suitable environment for family life through appropriate development standards; provide for the safety, health, convenience, and general welfare of the residents; and to implement the general plan.

The General Plan outlines goals and objectives, with regard to residential uses and development. This Chapter is intended to implement these General Plan goals and objectives through the following purposes:

1. Facilitate development in accordance with the General Plan (May 2009) with greater flexibility and, encourage more creative community design than under conventional zoning or subdivision regulations.
2. Promote economical and efficient use of the land while providing a harmonious variety of single-family and multi-family residential housing choices, urban services, and preservation of natural and scenic qualities of open spaces and areas or structures of historical significance.
3. Promote design and construction techniques that are responsive to the environmental resources of the site, and encourage energy conservation through solar and other renewable energy resources.
4. To promote development compatible with surrounding neighborhoods and protect neighborhoods from harmful encroachment by intrusive or disruptive development.

5. It is intended that land use shall be managed with respect to location, timing, and density/intensity of development in order to be consistent with the capabilities of the City and special districts to provide services, to create communities where a diverse population may realize common goals, and to achieve sustainable use of environmental resources both within and outside of the City.

17.40.020 Residential Zones

These districts have been created to implement the goals, objectives and land use designations of the General Plan. In addition, each district is designed to implement the density limits of each district.

A. Suburban Residential Zones

The Urban Residential Zones are intended to provide zoning regulations for areas of the City that are relatively flat, where typical standards for single-family, multi-family, and senior residential can be implemented.

1. **Single-Family Residential (R-1)** This district is intended as an area for single family residential use, with a minimum lot size of 7,200 square feet and a maximum residential density of 4 units per gross acre.
2. **Multi-Family Residential (R-3)** This district is intended as an area for multiple family use, with site development regulations that assure that existing and new development are compatible with nearby lower density residential and other types of development. Residential densities are expected to range from 0-20 units per gross acre maximum.
3. **Senior Residential (R-4)** This district is intended as an area for higher density senior residential use, with site development regulations that assure development compatible with nearby lower density residential and other types of development. Residential densities are expected to range from 0 to 25 units per gross acre maximum.

B. Rural Residential Zones

These districts are intended to provide zoning regulations for rural residential areas that are designated on the General Plan as Rural Estate, Very Low Density Residential, Medium Density Hillside Preservation, and San Timoteo Creek. The densities for each of these zones will vary from 0 to 1 unit per five (5) acres to 0 to 2 units per one (1) acre.

1. **Rural Estate Residential (R-RE)**

2. **Very Low Density Residential (R-VL)**
3. **Medium Density Hillside Residential (R-MDH)**
4. **San Timoteo Creek Residential (R-STC)**

C. Hillside Residential Zones

These districts are intended to provide zoning regulations for hillside residential areas that are designated on the General Plan as South Hills, Expanded Hillside Area, Hillside Conservation Area, and Low Density Hillside Preservation. The density for each of these zones is 0 to one (1) unit per ten (10) acres with potential density bonuses if certain criteria are met.

1. **South Hills Residential (R-SH)**
2. **Expanded Hillside Residential (R-EH)**
3. **Hillside Conservation Residential (R-HC)**
4. **Low Density Hillside Residential (R-LDH)**

17.40.030 Use Regulations

A. Land Use Tables

Uses listed in Tables 17.40.030-A through 17.40.030-C shall be allowable in one or more of the residential districts as indicated in the columns beneath each residential district heading. Where indicated with the letter "P," the use shall be a permitted use. Where indicated with the letter "C," the use shall be a conditional use subject to a Conditional Use Permit. This section shall not be construed to supersede more restrictive use regulations contained in the Conditions, Covenants and Restrictions of any property or dwelling units. However, in no case shall uses be permitted beyond those allowable in this section. In the event there is difficulty in categorizing a given use in one of the Districts, the procedure outlined in Section 17.XX.XXX shall be followed.

Table 17.40.030-A - Use Regulations for Suburban Residential Zones

TABLE INSET:

Table 17.40.030-B – Use Regulations for Rural Residential Zones

TABLE INSET:

Table 17.40.030-C – Use Regulations for Hillside Residential Zones

TABLE INSET:

B. **Special Use Regulations**

1. **Agricultural Uses** Prior to development, the following agricultural uses are either permitted or conditionally permitted on lots of 2.5 acres or more:
 - a. Permitted Uses:
 - (1) Farms for orchards, trees, field crops, truck gardening, flowering gardening, and other similar enterprises carried on in the general field of agriculture.
 - b. Conditional Use Permit required:
 - (1) Wholesale distributor and processor of nursery-plant stock. Retail nursery where incidental and contiguous to propagation of nursery stock and/or wholesale distributor. Outdoor storage and display is prohibited except for nursery-plant stock.
 - (2) Dog kennels, dog training schools, small animal shelters, and dog breeding establishments with outside runs.
2. **Home Occupations** The use of a residence for business purposes shall be permitted subject to issuance of a Home Occupation Permit (See Section 17.12).
3. **Mobile/Manufactured Homes** One mobile home is permitted on a lot in a suburban residential district subject to the following requirements:
 - a. The mobile/manufactured home is placed on a permanent foundation system in compliance with all applicable building regulations.
 - b. The mobile home construction is certified under the National Mobile Home Construction and Safety Standards Act of 1974 and which was constructed after October of 1976. Documentation indicating

certification and construction date must be submitted to the Building Division in order to secure valid building permit(s).

- c. The Administrative Review Committee shall determine if the placement of the mobile/manufactured home is compatible with the immediate area in which it is being placed in accordance with Section 17.06.010 and the following criteria:

- (1) The design of the mobile/manufactured home unit shall be similar in character and appearance to other dwellings in the area for such things as unit size, roof overhangs, roof materials and exterior materials.

- (3) All building setbacks, parking, coverage, height, width and sign requirements of the base district shall apply.

4. **Reserved**

5. **Second Dwelling Units** Permitted subject to the following criteria:

- a. The unit may be constructed as an accessory building or attached to the primary residence on a parcel in any residential district.
- b. The unit is not for sale, but for rental purposes only, or use by a member of the immediate family.
- c. The lot contains an existing single-family detached residence, and does not contain a guest house.
- d. The unit shall not exceed 640 square feet if the parcel is less than 20,000 square feet; if greater than 20,000 square feet, the second unit can exceed 640 square feet but may not be greater than 950 square feet or 30 percent of the main dwelling unit, if attached. (Unit size is exclusive of enclosed parking space requirement.)

Lot Size: A second dwelling unit may be established on a lot or parcel of land having a minimum of 10,000 square feet.

Height: A detached second dwelling unit shall be limited to one story, shall not exceed 16 feet in height, and shall not exceed the height of the main dwelling unit.

- e. The unit shall have a separate entrance from the main residence.

- f. The unit shall provide parking and access per Chapter 17.20 and provide one enclosed parking space per bedroom, not to exceed two enclosed spaces per unit. The enclosed parking space shall not be located in the required front or side yard setback for the primary unit. Temporary removable units shall provide one off-street parking space.
 - g. The unit construction shall conform to the site development criteria applicable to accessory buildings or additions to main residence in the base district in which the unit is located.
 - h. The unit shall match the architectural style of the primary residence in design features, such as but not limited to, material, colors, roofing, scale, surface treatments and details.
 - i. The unit shall conform to the requirements of the base district in which it is located.
 - j. The use of temporary/removable structures for a second dwelling unit shall be restricted to the area at the rear of the primary residence and adhere to all development criteria in this section.
 - k. The applicant shall submit to the Building Division written certification from the affected water and sewer district that adequate water and sewer facilities are or will be available to serve the proposed unit. For units using septic facilities allowable by the Santa Ana Regional Quality Control Board and the City, written certification of acceptability including all supportive information shall be submitted.
6. **Uses Within Recognized Historical Structures** Existing historical landmarks and focal points, which have been recognized by the City as having historical significance, are encouraged to be enhanced through physical improvements. Historical structures within a residential district may be used for uses other than residential based upon the following criteria:
- a. A conditional use permit shall be reviewed by the Historical Commission and the Commission's recommendation regarding approval or denial of a Certificate of Appropriateness shall be forwarded to the City Council for ratification.

- b. The Planning Commission also shall review the conditional use permit and forward recommendations to the City Council to approve, deny, or modify the project.
- b. Any use proposed shall not cause intensification or disruption to any adjacent uses or neighborhood.
- c. The uses shall be limited to small scale uses such as, but not limited to, boarding house, bed and breakfast inn, minor offices, boutique, antique shop, bookstore, or florist.
- d. The site and structure shall be fully improved to include such things as, but not limited to, landscaping, parking, new exterior building materials (roofing, siding, painting), walls or fences, street improvements, drainage facilities, etc.

7. **Restrictions on Yard Sales**

- a. For purposes of this subsection 7, the term "yard sale" means a temporary sale of household items on residential premises.
- b. On any one parcel or lot in any residential zone, a yard sale may be conducted on one day, but not to exceed two consecutive days, in any six (6) month period. Sales may only be conducted between 7:00 a.m. and 6:00 p.m.
- c. Items displayed, offered, or sold at a yard sale shall only be household items that have been in regular use or storage for six (6) months or more on the same parcel or lot.
- d. A yard sale may only be conducted in a residential district.

8. **Mobile Home Parks** This section sets forth requirements for mobile home park development. Except as provided herein above, all other development standards contained in Tables 17.40.040-A shall apply.

- a. There shall be no minimum side area for a mobile home park.
- b. There shall be no minimum area, width, or depth requirement for individual lots or spaces.
- c. There shall be no minimum yard requirement for individual lots or spaces.

- d. There shall be no minimum size for individual mobile home units.
- e. The minimum street yard setback on public streets shall be in conformance with Table 17.08.040-D Streetscape Setbacks.
- f. Existing mobile home parks and pre-existing mobile home parks shall not be deemed nonconforming by reason of failure to meet the minimum requirements prescribed in this section, provided that the regulations of this section shall apply to the enlargement or expansion of a mobile home park.

17.40.040 Site Development Criteria

The Site Development Criteria are intended to provide minimum standards for residential development. These site development standards should be used in conjunction with the design guidelines which are set forth in Section 17.08.090 of this chapter. This section shall not be construed to supersede more restrictive site development standards contained in the Conditions, Covenants and Restrictions of any property or dwelling unit. However, in no case shall private deed restrictions permit a lesser standard in the case of a minimum standard of this section or permit a greater standard in the case of a maximum standard of this section.

A. **Development Standards.** The development standards for residential development are arranged into two categories: (1) basic development standards, and (2) optional development standards. These standards are used in conjunction with the Absolute Policies and Design Guidelines during the residential land development/design review process as discussed in Chapter 17.06. Each residential development must conform to either the basic standards or the optional standards.

- 1. **Basic Development Standards** These standards are intended to provide basic standards, which will ensure good quality and compatible projects. A residential development over four units per acre is generally limited to the mid-point of the density range for which it is designated. These standards, as well as the density limitation, are intended to create a development, which will be compatible and provide for proper transitions from more sensitive or less intense residential development.
- 2. **Optional Development Standards** These standards are intended to provide high standards for the development of projects of superior quality and compatibility. The optional standards allow development at the higher end of the designated density range. However, the standards and development expectations have been increased above and beyond the

basic standards in order to ensure proper transitions and buffers from lower intense residential uses.

The ultimate density allowed in any residential district shall be determined through the residential land development design review process and public hearings as described in Chapter 17.06. The Planning Commission shall have the authority to reasonably condition any residential development to ensure proper transition and compatibility to adjacent residential developments; existing or proposed.

- B. **Basic Development Standards** Table 17.08.040-B sets forth minimum development standards for residential development projects filed up to the mid-point of the permitted density range.

Table 17.40.040-B - Basic Development Standards

TABLE INSET:

| | VL | L | LM | M | MH | H |
|--|--|---------|---------|----------|-------------|-------------|
| Lot Area: Minimum Net Average | 22,500 | 8,000 | 6,000 | 3 ac (L) | 3 ac (L) | 3 ac (L) |
| Minimum Net | 20,000 | 7,200 | 5,000 | 3 ac (L) | 3 ac (L) | 3 ac (L) |
| Number of Dwelling Units (A) (Permitted Per Acre) | Up to 2 | Up to 4 | Up to 6 | Up to 11 | Up to 19 | Up to 27 |
| Minimum Dwelling Unit Size: (I) Single Family Attached and Detached Dwellings | 1,000 square feet (H) regardless of district | | | | | |
| Multiple Family Dwellings (J) Efficiency/Studio | 550 square feet regardless of district | | | | | |

| | | | | | | |
|--|--|-------------------------------------|-------------------------------------|-------------------------------------|-------------|-------------|
| One Bedroom | 650 square feet regardless of district | | | | | |
| Two Bedroom | 800 square feet regardless of district | | | | | |
| Three or More Bedrooms | 950 square feet regardless of district | | | | | |
| Lot Dimensions: Minimum Width (@ Required Front Setback) | 90 Avg. Vary +/-&minus ; 10 | 65 Avg. Vary +/-&minus ; 5 | 50 Avg. Vary +/-&minus ; 5 | N/R | N/R | N/R |
| Minimum Corner Lot Width | 100 | 70 | 50 | N/R | N/R | N/R |
| Minimum Depth | 200 | 100 | 90 | N/R | N/R | N/R |
| Minimum Frontage at Front Property Line | 50 | 40 | 30 | 100 | 100 | 100 |
| Minimum Flag Lot Frontage (@ Front Property Line) | 30 | 20 | 20 | 50 | 50 | 50 |
| Setbacks: (B)(M) Front Yard (C) (E) | 42 Avg. Vary +/-&minus ; 5 | 37 Avg. Vary +/-&minus ; 5 | 32 Avg. Vary +/-&minus ; 5 | 37 Avg. Vary +/-&minus ; 5 | N/R | N/R |
| Corner Side Yard | 27 | 27 | 22 | 27 | N/R | N/R |
| Interior Side Yard | 10/15 | 5/10 | 5/10 | 10 (D) | N/R | N/R |
| Rear Yard | 60 | 20 | 15 | 10 (D) | N/R | N/R |
| At Interior Site Boundary | 30/5 | 20/5 | 15/5 | 15/5 (D) | 15/5 (D) | 15/5 (D) |

| | | | | | | |
|--|---------------|---------------|----------------------------------|----------------------------------|---------|---------|
| (Dwelling Unit/Accessory Building) | | | | | | |
| Residential Building Separations (M) | N/R | N/R | Required Per Section 17.08.040-E | | | |
| Height Limitation (K) | 35 | 35 | 35 | 35 (F) | 40 (F) | 55 (F) |
| Lot Coverage (Maximum %) (M) | 25% | 40% | 50% | 50% | 50% | 50% |
| Open Space Required Private Open Space (Ground Floor/Upper Story Unit) | 2,000/ N/R | 1,000/ N/R | 300/150 | 225/150 | 150/100 | 150/100 |
| Common Open Space (A) (Minimum Percent) | N/R | N/R | N/R | 30% | 30% | 30% |
| Usable Open Space (A) (Private and Common) | 65% | 60% | 40% | 35% | 35% | 35% |
| Recreation Area/Facility | N/R | N/R | N/R | Required Per Section 17.08.040-H | | |
| Landscaping | (G) | (G) | (G) | Required Per Section 17.08.040-G | | |
| Amenities | N/R | N/R | N/R | Required Per Section 17.08.040-R | | |

Notes; N/R = Not Required

Notes:

(A) Excluding land necessary for secondary streets and arterials and in hillside areas shall be dependent on the slope/capacity factor contained in Section 17.24.080-B.

- (B) As measured from the ultimate curb face on public and private streets. Refer to Table 17.08.040-C for additional setback.
- (C) Variable front yards allowed pursuant to Section 17.08.060-H.
- (D) Add 10 feet if adjacent to VL, L or LM district.
- (E) Less than 18 feet from back of sidewalk requires automatic garage door openers.
- (F) Limit one story within 100 feet of VL or L district for multiple family dwellings.
- (G) Perimeter landscaping and interior street trees.
- (H) A single family detached dwelling less than 1,000 square feet may be authorized when a development exhibits innovative qualities in tract, plot, and architectural design through the approval of a Conditional Use Permit.
- (I) Senior citizen projects are exempted from this requirement.
- (J) To assure that smaller units are not concentrated in any one area or project, the following percentage limitations of the total number of units shall apply: 10 percent for efficiency/studio and 35 percent for one bedroom or up to 35 percent combined. Subject to a Conditional Use Permit, the Planning Commission may authorize a greater ratio of efficiency or one-bedroom units when a development exhibits innovative design qualities and a balanced mix of unit sizes and types.
- (K) In hillside areas, heights shall be limited to 30 feet as specified in Section 17.24.070-D.1.
- (L) On existing lots of record, parcels less than 3 acres or less than the required minimum frontage may only be developed at the lowest end of the permitted density range.
- (M) In addition to the standards set forth in Table 17.08.040-B, development within the Caryn Planned Community shall be governed by the standards outlined in Table 17.14.040-A.

- C. **Optional Development Standards.** Table 17.08.040-C sets forth minimum development standards for residential development projects filed up to the maximum density permitted by the density range.

Table 17.08.040-C - Optional Development Standards

TABLE INSET:

| | L | LM | M | MH | H |
|--------------------------------|--------------------|---------|--------------------|----------|----------|
| Minimum Site Area (Gross) | 5 ac | 5 ac | 5 ac | 5 ac | 5 ac |
| Lot Area (Minimum Net Average) | Variation Required | (I) | Variation Required | 5 ac | 5 ac |
| Number of | Up to 4 | Up to 8 | Up to 14 | Up to 24 | Up to 30 |

| | | | | | |
|---|---|--|--------------------|--------------------|--------------------|
| Dwelling Units (A) (Permitted Per Acre) | | | | | |
| Minimum Dwelling Unit Size: (J) Single Family Attached and Detached Dwelling | 1,000 square feet(G) regardless of district | | | | |
| Multiple Family Dwellings (K) Efficiency/Studio | N/R | 550 square feet regardless of district | | | |
| One Bedroom | N/R | 650 square feet regardless of district | | | |
| Two Bedroom | N/R | 800 square feet regardless of district | | | |
| Three or More Bedrooms | N/R | 950 square feet regardless of district | | | |
| Lot Dimensions Minimum Width (@ Required Front Setback) | Variation Required | (I) | Variation Required | N/R | N/R |
| Minimum Depth | Variation Required in Single Family Revisions | | | N/R | N/R |
| Setbacks: (B) Local Street | 42 Avg. Vary +/- 5 | (I) | 42 Avg. Vary +/- 5 | 42 Avg. Vary +/- 5 | 47 Avg. Vary +/- 5 |
| Private Street or Driveway | 32 Avg. Vary +/- 5 | 15 Avg. Vary +/- 5 (E) | 5 (E) | 5 (E) | 5 (E) |
| Corner Side Yard | 17 (E) | 10 (E) | 5 (E) | N/R | N/R |
| Interior Side Yard | 5/10 (H) | (I) | 10 (H) (D) | N/R | N/R |
| At Interior Site Boundary | 20/5 | 15/5 | 20/5 (D) | 20/5 (D) | 20/5 (D) |

| | | | | | |
|---|-------------|----------------------------------|----------------------------------|---------|---------|
| (Dwelling Unit/Accessory Building) | | | | | |
| Residential Building Separations Front to Front | 25 | 25 | Required Per Section 17.08.040-E | | |
| Other | 10 | 10 | Required Per Section 17.08.040-E | | |
| Height Limitations (I) | 35 | 35 | 35 (C) | 40 (C) | 55 (C) |
| Other Space Required Private Open Space (Ground Floor/Upper Story Unit) | 1,000 / N/R | 300/150 | 225/150 | 150/100 | 150/100 |
| Common Open Space (A) (Minimum Percent) | 5% | 10% | 35% | 35% | 35% |
| Usable Open Space (A) (Private and Common) | 60% | 45% | 40% | 40% | 40% |
| Recreation Area/Facility | N/R | Required Per Section 17.08.040-H | | | |
| Landscaping | (F) | Required Per Section 17.08.040-G | | | |
| Front Yard Landscaping | | Required Per Section 17.08.040-F | | | |
| Energy Conservation | N/R | Required Per Section 17.08.040-I | | | |
| Amenities | N/R | N/R | Required Per Section 17.08.040-R | | |

N/R = Not Required

Notes:

(A) Excluding land necessary for secondary streets and arterials and in hillside areas shall be dependent on the slope/capacity factor contained in Section 17.24.080-B.

- (B) As measured from the ultimate curb face on public and private streets. Refer to Table 17.08.040-D for additional setback information.
- (C) Limit one story within 100 feet of VL or L district for multiple family dwellings.
- (D) Add 10 feet if adjacent to VL, L, or LM district.
- (E) Less than 18 feet from back of sidewalk within condominium, townhouse, or apartment requires automatic garage door openers. Garage setback is 10 feet minimum if side entry garages are used pursuant to Section 17.08.040-M within single family detached/semi-detached development.
- (F) Perimeter landscaping and interior street trees.
- (G) A single family detached dwelling less than 900 square feet will require the approval of a conditional use permit pursuant to Section 17.08.030.
- (H) Zero lot line dwellings permitted pursuant to Section 17.08.040-P.
- (I) Refer to Table 17.08.040-C1 and Table 17.08.040-C2.
- (J) Senior citizen projects are exempted from this requirement.
- (K) To assure that smaller units are not concentrated in any one area or project, the following percentage limitations of the total number of units shall apply: 10 percent for efficiency/studio and 35 percent for one bedroom or up to 35 percent combined. Subject to a conditional use permit, the Planning Commission may authorize a greater ratio of efficiency or one-bedroom units when a development exhibits innovative design qualities and a balanced mix of unit sizes and types.
- (L) In hillside areas, heights shall be limited to 30 feet as specified in Section 17.24.070-D.1. & rarr; Tables 17.08.040-C1 and C2, supplement those standards set forth in the previous tables for development of a Low-Medium Residential product.

Table 17.08.040-C1 - Low-Medium Center Plot Product Optional Development Standards

TABLE INSET:

| | |
|---|-------|
| Lot Area: | |
| Minimum Net Average | 5,500 |
| Minimum Net | 5,000 |
| Lot Dimensions: | |
| Minimum Width (At Required Front Setback) | 50 |
| Setbacks: | |
| Front Yard Average | 25 |
| Front Yard Minimum | 20 |
| Interior Side Yard | 5/10 |
| Rear Yard | 15 |

Projects may also be filed under the Low-Medium Innovative Product Optional Development Standards provided they meet the following objectives for innovation:

1. Provide high design quality throughout the project; and
2. Provide creative design solutions which address the critical concerns of neighborhood compatibility, density transition, and design quality; and
3. Promote an attractive streetscape and discourage monotonous streets dominated by asphalt/concrete, garages, and cars; and

4. Create well-designed space, particularly usable yard space.

Table 17.08.040-C2 - Low-Medium Innovative Product
Optional Development Standards

TABLE INSET:

| | |
|---|-------|
| Lot Area: | |
| Minimum Net Average | 4,000 |
| Minimum Net | 3,500 |
| Lot Dimensions: | |
| Minimum Width (At Required Front Setback) | 45 |
| Setbacks: | |
| Front Yard Minimum | 20 |
| Interior Side Yard | 0/10 |
| Rear Yard | 15 |

- D. **Streetscape Setbacks** It is the intent of this Section to create streetscape standards for landscape, building, and parking setbacks that help to identify the function of streets and to improve the scenic quality of the community. Table 17.08.040-D, sets forth the minimum setbacks based upon the street classification in the Circulation Plan of the General Plan. These setbacks shall be required of all developments, which contain or abut on any one of the following street classifications.

Table 17.08.040-D - Streetscape Setback Standards (A) (B)

TABLE INSET:

| Feature | Building | Parking | Landscape & Wall |
|-------------------------|-------------|---------|------------------------------------|
| Detached SFR | | | |
| Major/Special Boulevard | 45 feet | 18 feet | 20-foot average 18-foot minimum |
| Secondary/Collector | 35 feet | 15 feet | 18-foot average 15-foot minimum |
| Attached SFR and MFR | | | |
| Major/Special Boulevard | 45 feet (C) | 30 feet | 45-foot average |

| | | | |
|---------------------|-------------|---------|--|
| | | | 30-foot minimum (C) |
| Secondary/Collector | 35 feet (C) | 25 feet | 35-foot average 25-foot minimum (C) |

Notes:

(A) Setbacks contained in Table 17.08.040-D shall be measured from face of the ultimate curb location.

(B) On existing lots of record, parcels less than 175 feet in depth need not provide a setback or landscaping greater than 20 percent of the depth of the property (excluding right-of-way areas).

(C) Add 10 feet within M, MH, and H Residential Districts.

E. **Building Separations** Where required in Table 17.08.040-B and C, this section sets forth minimum requirements for building separation and setback standards.

Table 17.08.040-E - Building Separation and Setback Standards

TABLE INSET:

| Building Separation and Setback (A) (in feet) | Districts | | |
|---|-----------|----------|----------|
| | M (C) | MH (C) | H (C) |
| Building to building (B) | | | |
| 1. Front to front (G) | | | |
| a. No patio or recessed patio | 30 | 30 | 30 |
| b. Between patio fence/wall less than 5 feet in height without sidewalk (F) with sidewalk (F) | 10 15 | 10 15 | 10 15 |
| c. Between patio fence/wall more than 5 feet in height | 20 | 20 | 20 |
| d. Between balconies above patio fence/wall more than 5 feet in height | 20 | 20 | 20 |
| e. Between a patio fence/wall and a building wall | 20 | 20 | 20 |
| f. With common patio fence/wall | 30 | 30 | 30 |
| 2. Other | 15 | 15 | 15 |
| Building to one-story detached garage/carport or other accessory structures (E) | 15 | 15 | 15 |
| Building to curb (E) | 15 (D) | 15 (D) | 15 (D) |

| | | | |
|---|----|----|----|
| Building to curb at project entry (patio wall or fence shall not project into the setback area) | 20 | 20 | 25 |
|---|----|----|----|

Notes:

(A) Building shall mean dwelling units.

(B) Building separation standards for building-to-building shall be for two-story development only.

(C) Add 10 feet for each floor/story above the second floor/story for three- or more-story buildings.

(D) Add 5 feet for each floor/story above the second floor/story up to a maximum of 25 feet for three- or more-story buildings.

(E) Patio wall/fence and pedestrian walkway may project into the setback area provided a minimum 10-foot area be maintained free and clear for landscaping.

(F) Between balconies, add 5 feet.

(G) "Front" is defined as the face of the building or unit with the major glass area and/or major private recreation area and may include access to that private recreation area. This access may or may not relate to the primary entrance to the building that faces the street or drive; therefore, some buildings may have more than one "front."

- F. **Front Yard Landscaping** Where required, in Table 17.08.040-C, front yard landscaping shall include, at a minimum, one 15-gallon size tree, one 5-gallon size tree, seeded ground cover, and a permanent irrigation system to be installed by the developer prior to occupancy. This requirement shall be in addition to required street trees.
- H. **Recreation Area/Facility** Where required, in Tables 17.08.040-B and C, the developer shall provide recreational amenities in conjunction with common open space as follows:
1. Development consisting of 30 units or less shall provide three of the following recreational amenities:
 - a. Large open lawn area, one of the dimensions shall be a minimum of 50 feet.
 - b. Enclosed tot lot with multiple play equipment.
 - c. Spa or pool.
 - d. Barbecue facility equipped with grill, picnic benches, etc.
 2. Development consisting of 31 units to 100 units shall provide another set of recreational amenities as described in Section 17.08.040-H-1, or equivalent, as approved by the Planning Commission.
 3. Development consisting of 101 units to 200 units shall provide five of the following recreational amenities, or equivalent, as approved by the Planning Commission:

- a. Large open lawn, one of the dimensions shall be a minimum of 100 feet.
 - b. Multiple enclosed tot lots with multiple play equipment. The tot lots shall be conveniently located throughout the site. The number of tot lots and their location shall be subject to Planning Commission review and approval.
 - c. Pool and spa.
 - d. Community multi-purpose room equipped with kitchen, defined areas for games, exercises, etc.
 - e. Barbecue facilities equipped with multiple grills, picnic benches, etc. The barbecue facilities shall be conveniently located throughout the site. The number of barbecue facilities and their locations shall be subject to Planning Commission review and approval.
 - f. Court facilities (e.g. tennis, volleyball, basketball, etc.).
 - g. Jogging/walking trails with exercise stations.
- 4. For each 100 units above the first 200 units, another set of recreational amenities as described in Section 17.08.040-H-3, shall be provided.
 - 5. Other recreational amenities not listed above may be considered subject to Planning Commission review and approval.
 - 6. Related recreational activities may be grouped together and located at any one area of the common open space.
 - 7. Dispersal of recreational facilities throughout the site shall be required for development with multiple recreational facilities.
 - 8. All recreation areas or facilities required by this section shall be maintained by private homeowners' associations, property owners, or private assessment districts.
- I. **Energy Conservation** Where required, in Table 17.08.040-C this Section sets forth requirements for energy conservation features.
- 1. New residential development shall be provided with an alternative energy system to provide domestic hot water for all dwelling units and for heating any swimming pool or spa. Solar energy shall be the primary energy

system unless other alternative energy systems are demonstrated to be of equivalent capacity and efficiency.

2. All appliances and fixtures shall be energy conserving (e.g., reduced consumption shower heads, water conserving toilets, etc).
- J. **Slope Planting** Slope banks 5 feet or greater in vertical height and of 5:1 or greater slope, but less than 2:1 slope, shall be, at minimum, irrigated and landscaped with appropriate groundcover for erosion control. Slope banks 5 feet or greater in vertical height and of 2:1 or greater slope shall be landscaped and irrigated for erosion control and to soften their appearance as follows: one 15-gallon or larger size tree per each 150 square feet of slope area, one 1-gallon or larger size shrub for each 100 square feet of slope area, and appropriate groundcover. In addition, slope banks in excess of 8 feet in vertical and of 2:1 or greater slope shall also include one 5-gallon or larger size tree per each 250 square feet of slope area. Trees and shrubs shall be planted in staggered clusters to soften and vary slope plane. Slope planting required by this section shall include a permanent irrigation system to be installed by the developer prior to occupancy. Maintenance by a Homeowners' Association may be required by the Planning Commission on a case-by-case basis.
- K. **Usable Yard Area** For single family detached/semi-detached subdivisions, a minimum 15 feet of flat, usable rear yard area shall be provided between the house and top or toe of non-retained slope banks or to the retaining wall in the case of retained cut or fill per City grading standard drawings. However, in areas of hilly or sloped terrain where grading is being designed to minimize alteration to the natural land form, usable open space should be provided in the form of decks, patios, balconies, or some similar form of built structure designed to fit the natural topography rather than as graded level yard area.
- L. **Visitor Parking** For projects with private streets or driveways, visitor parking required by Section 17.12.040 shall be provided in off-street visitor parking bays within 150 feet of all dwelling units. Visitor parking shall be clearly delineated through proper signage to the satisfaction of the City Planner. Signage may include, but is not limited to: pavement marking, free standing signs designating the stalls as visitor parking, and directory signs guiding visitors to the visitor parking area.
- M. **Garage Setbacks** Under the Optional Development Standards, Table 17.08.040-C, side entry garages may be located a minimum 10 feet from curb face on public or private streets, except on corner lots where driveways shall be kept away from intersection.

- N. **Driveway Depth/Width** All lots within single family detached and semi-detached residential developments shall have driveways designed to accommodate the parking of two automobiles in a manner that does not obstruct sidewalks or streets. Driveways shall have a minimum depth of 19 feet and width of 18 feet.
- O. **Property Maintenance** Property owners are responsible for the continuous maintenance of all buildings, structures, yards, landscaping, signs, parking areas, recreational facilities, and other improvements in a manner which does not detract from the appearance of the surrounding area. In addition, multiple family residential developments subject to the Development/Design Review process shall maintain site improvements in compliance with all applicable conditions of approval imposed by the Planning Commission.
- P. **Amenities** To enhance the quality of life for multi-family development, additional amenities shall be required as follows:
1. **Storage Space** Each unit shall be provided with a minimum of 125 cubic feet of exterior lockable storage space. The storage space shall be located outside of the dwelling at grade or floor level and easily accessible by the residents. The design of the exterior storage space shall be architecturally integrated and/or compatible to the dwellings. The individual storage space units can be located within the fully enclosed garages designated for that dwelling unit.
 2. **Laundry Facility** Each unit shall be provided with a hook-up for washing machine and clothes dryer in the interior of the dwelling; or common laundry facilities shall be provided and be equipped with washing machines and clothes dryers at a rate of one washing machine and clothes dryer per five units. Common laundry facilities should be conveniently located for all residents within the complex. Common laundry facilities can be within freestanding buildings, attached to dwelling units, or within the recreation room. The design of the common laundry facilities shall be architecturally compatible to the dwellings.
- Q. **Roofing Materials** All new development within residential districts shall have roofing material made of tile, or the imitation thereof, but not including composition shingles. Other roofing materials such as metal, slate, or the imitation thereof, but not including composition shingles, may be approved by the Design Review Committee, if it is determined by the Design Review Committee that the roof material enhances the building design. Roofing materials for additions and accessory structures shall be governed by Section 17.08.0601f, Special Development Criteria. (Ord. 672 (part), 2001; Ord. 626 § 3 (part), 2000; Ord. 606 § 3 (part), 1999; Ord. 604 § 3 (part), 1999; Ord. 465 § 4 (part), 1991;

Ord. 464 § 2, 1991; Ord. 416 § 4(b), (c), 1990; Ord. 366 §§ 2, 3, 1988; Ord. 345 §§ 1, 2, 1988; Ord. 211D § 2(D), (E), 1987; Ord. 211C § 2 (part), 1986; Ord. 211B § 2, 1986; Ord. 235 §§ 1, 4 and 5, 1984; Ord. 211A §§ 1, 2, 1984; Ord. 211 § 6 (part), 1983)

- f. **Architectural Compatibility** In addition to the architectural considerations involved in mitigation through orientation, the architectural design of buildings can reduce conflict and promote compatibility.
 - (1) Materials, colors, scale, and prominence of buildings in adjacent land uses can be coordinated so there is a gradual transition from one land use to another rather than a sharp and displeasing contrast. Purely aesthetic details that are "tacked" onto a building to cover up land use conflicts, however, will cause more harm than good.
 - (2) The architectural compatibility should rise from a total consideration of the function of each land use and the function of the space between them.
- g. **Circulation** Streets and parking areas can often serve to reduce certain types of land use conflicts. Separation of conflicting uses with a street or parking area can provide a buffer.

17.40.050 Special Development Criteria

The special development criteria set forth in this section are intended to provide minimum standards for accessory structures, fences, etc.

- 2. **Play Equipment** No athletic apparatus, or other sports related accessory structures, such as batting cages, basketball backboards, skateboard ramps, etc., and no play equipment, such as swings, slides, jungle gyms, playhouses, etc., shall exceed 16 feet in height.
- 3. **Temporary, Portable and Permanent Shade Structures**
 - a. **Carports and accessory structures or shelters for the storage of vehicles, recreational vehicles, trailers, boats, self-propelled equipment and bulky items** Portable, collapsible, or permanent shade structure made of canvas, vinyl, aluminum, wood, or similar materials, may be erected, installed, or maintained in within any interior side or rear setback area, but not within any front or corner side yard setback area or within a recorded easement. A minimum setback of 5 feet from interior and rear property lines shall be maintained. This section shall not apply to a garage or carport for which a building permit has been issued.

- b. A portable, collapsible, or permanent shade structure located within a required interior side or rear setback area shall have a maximum height of 10 feet.

B. **Patio enclosures** Where required in Tables 17.08.040-B and C, private open space shall maintain a minimum dimension of 12 feet for ground floor units, and 6 feet for upper story units.

C. **Projections into Yards**

1. Eaves, roof projections, awnings, and similar architectural features may project into required yards a maximum distance of 3 feet, provided such appendages are supported only at, or behind, the building setback line.
2. Replacement chimneys, bay windows, balconies, fire escapes, exterior stairs and landings, and similar architectural features may project into required yards a maximum distance of 2 feet, provided such features shall be at least 3 feet from a property line.
3. Decks, platforms, uncovered porches, and landing places which do not exceed a height of 48 inches above grade, may project into any front or corner side yard a maximum distance of 6 feet and project into any rear or interior side yard up to the property line.
4. Minor Structures and Equipment. Minor accessory structures with less than 120 square feet of floor area, and not exceeding six feet in height, may be located within any interior side or rear setback area, but not within any front or corner side yard setback area except where screened from public view. Examples include, but not limited to: storage sheds, trash enclosures, dog houses, play equipment, and playhouses.

D. **Projections Above Height Limits** Flues, chimneys, elevators or other mechanical equipment, television antennas, spires or bell towers, or similar architectural, utility, or mechanical features, may not exceed the height limits in Tables 17.08.040-A through C more than 15 feet, except as provided for in Section 17.08.060-I, Antennas.